

**A SUBSTITUTE ORDINANCE BY  
PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

**AN ORDINANCE TO AMEND CHAPTER 78 OF THE CITY OF ATLANTA CODE OF ORDINANCES, ENTITLED FIRE PREVENTION AND PROTECTION, BY ENTITLING ARTICLE IV “FEES FOR FIRE RESCUE SERVICES”; TO CREATE A NEW SECTION 78-68 THEREIN TO BE CALLED ‘DEFINITIONS’ TO CREATE A NEW SECTION 78-69 THEREIN TO BE CALLED ‘FEE SCHEDULE’; TO CREATE A NEW SECTION THEREIN 78-71 TO BE CALLED “COMMERCIAL NEGLIGENCE HAZARDOUS MATERIALS FEE”; FOR THE PURPOSE OF AUTHORIZING THE IMPOSITION OF FEES UPON COMMERCIAL CONTRACTORS OR PRIVATELY OWNED COMPANIES WHO HAVE BEEN DETERMINED TO HAVE NEGLIGENTLY CAUSED HAZARDOUS CONDITIONS WHICH REQUIRE RESPONSES BY THE ATLANTA FIRE RESCUE DEPARTMENT, ON BEHALF OF THE ATLANTA FIRE RESCUE DEPARTMENT; AND FOR OTHER PURPOSES.**

**WHEREAS**, the fire department responds to thousands of incidents resulting from negligent actions on behalf of commercial contractors and private companies which creates a hazardous environment to the city; and

**WHEREAS**, the fire department deploys approximately seventeen (17) trained personnel equipped with of specialized equipment and six (6) fire apparatus to mitigate hazardous conditions totaling created from negligent actions of commercial contractors and privately owned companies; and

**WHEREAS**, the fire department recommends the scope of hazardous material fees includes ruptured gas lines, containers, chemical releases and spills; and

**WHEREAS**, the fire department recommends not to access a fee to residential properties within city limits; and

**WHEREAS**, the fire department wishes to recoup some of its costs expended in deploying firefighters to certain hazardous conditions caused by the negligence of commercial contractors or privately owned companies by imposing fees established by a fee study conducted by the Atlanta Fire Rescue Department and attached hereto as Exhibit ‘A’; and

**WHEREAS**, the fees for hazardous material and fires do not cover the true costs to the City; and

**WHEREAS**, the department onscene time for a hazardous material incident varies from one (1) hour to one (1) day, costing the city from \$425.00 (1-hour) to \$10,200.00 (24-hours) in personnel cost; and

(b)

**Federal Emergency Agency (FEMA)  
Schedule of Apparatus Rates**

Cost Code	Equipment	Specs	Size	HP	Fee
8690	Truck, Fire	Pump Capacity	1000 gpm	hour	\$75.00
8691	Truck, Fire	Pump Capacity	1250 gpm	hour	\$90.00
8692	Truck, Fire (Atlanta Fire)	Pump Capacity	1500 gpm	hour	\$95.00
8693	Truck, Fire	Pump Capacity	2000 gpm	hour	\$105.00
8694	Truck, Fire Ladder	Ladder Length	75 ft	hour	\$145.00
8695	Truck, Fire Ladder (Atlanta Fire)	Ladder Length	150 ft	hour	\$175.00
8792	Tractor Trailer	6 x 4	50,000	hour	\$70.00
8750	Small Vehicle (Chief Officer)			hour	\$8.00

(c)

Apparatus/Personnel	Personnel	Personnel Hourly Rate	Fee
Class A Engine	3	\$25.00/hour	\$75.00/hr
Class A - Engine	4	\$25.00/hour	\$100.00/hr
Aerial Ladder Truck	3	\$25.00/hour	\$75.00/hr
Aerial Ladder Truck	4	\$25.00/hour	\$100.00/hr
Rescue (Heavy)	6	\$25.00/hour	\$100.00/hr
Battalion Chief (Batt-1)	2	\$25.00/hour	\$50.00/hr

HAZARDOUS MATERIAL EQUIPMENT	
Supplies/Service	Fee
Absorbent – Per Bag	\$17.00
Absorbent Booms	\$40.00
Top Sol	\$35.00
Latex Gloves	\$6.00
Over Boots	\$25.00
Disposable Goggles	\$15.00
Gas Plug Kit	\$50.00
Plug and Dike	\$65.00
Drum Liners	\$10.00
Barricade Tape	\$22.00
Removal of Hazardous Material	\$150.00
Disposal of Hazardous Material	\$150.00
Disposable Coveralls	\$30.00
Neoprene Gloves	\$20.00

**(SECTION 4.** That Chapter 78, Article IV, be amended to add a new section 78-71, to be entitled “Commercial Negligence Hazardous Materials Fee” which shall read as follows:

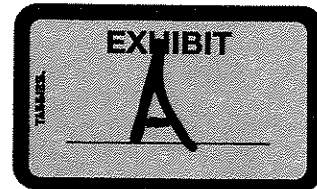
**Sec. 78-71. Commercial Negligence Hazardous Materials Fee.**

- (a) The City of Atlanta is hereby authorized to impose fees for services provided by the Atlanta Fire Rescue Department to commercial contractors or privately owned companies who have been determined by the Atlanta Fire Rescue Department to have caused a Hazardous Condition as the result of negligence.
- (b) The imposed fees shall be assessed for fire department responses to mitigate a Hazardous Condition shall be determined per incident and shall be billed in accordance with the fee schedule contained in Section 78-69.

**SECTION 5.** That all proceeds collected in accordance with Section 4 of this ordinance shall be deposited into 1001 (General Fund) 0000002 (General Revenue) 3439002 (Hazardous Spills).

**SECTION 6.** All ordinances or parts of ordinances and resolutions, in conflict with this ordinance are hereby repealed, and are no longer of any force and effect.

# Atlanta Fire Rescue Department      Fee Study



## INTRODUCTION

The City of Atlanta Fire Rescue Department (AFRD) was charged to analyze the current level of services, cost recovery initiatives, and recommend appropriate fee levels to more adequately cover costs. This report examines the total cost of responding and mitigating hazardous conditions as a result of motor vehicles crashes, hazardous material incidents, and non-emergency EMS assist calls. Atlanta currently does not charge a fee for services relating to proposed ordinances. None of the ordinances have an impact on residents of the City of Atlanta.

## COST OF SERVICE ANALYSIS

### Methodology

The largest cost-driver for the fees is the cost of the staff time required to respond and mitigate an incident (salary cost). To quantify the salary cost for each fee, the job titles and average amount of time required to mitigate an incident is associated with each fee.

Once the salary cost for each fee was determined, other costs for equipment and supplies are to be applied to each fee based upon the nature of the incident. The costs of equipment and supplies are in accordance with the Federal Emergency Management Agency (FEMA) Standard Fee Schedule.

The AFRD currently operates each fire unit with a minimum of three (3) sworn personnel which is below industry standards. National Fire Protection Association (NFPA) standards recommend four (4) sworn personnel per fire unit. The personnel cost is derived from 50% of the mid-range hourly rate. Mid-range hourly rate for (3) three sworn personnel is \$54.07 which the department recommends a reasonably hourly fee of \$25.00.

### Hourly Rates – 2007 Salary Scale

Position Title	Minimum Personnel Hour Cost	Mid-Range Personnel Hour Cost	High-Range Personnel Hour Cost
Firefighter	\$12.80	\$14.92	\$18.35
Fire Apparatus Operator	\$14.02	\$16.40	\$20.15
Fire Lieutenant	\$15.80	\$18.86	\$23.19
Fire Captain	\$19.06	\$22.75	\$27.98

The **internal indirect** rate accounts for the actual cost of personnel to the city which is required to mitigate an incident. The below Table demonstrates the internal indirect calculation based on a minimum of one hour.

### Internal Indirect Cost

(3) Sworn

#### Personnel

Position	Full Time Employees	Mid-Range Personnel Hour Cost	Minimum Hours	Internal Indirect Cost
Firefighter	1	\$14.92	1	14.92
Fire Apparatus Operator	1	\$16.40	1	16.40
Fire Captain	1	\$22.75	1	22.75
Total Hourly Cost				\$54.07

### Internal Indirect Cost

(4) Sworn

#### Personnel

Position	Full Time Employees	Mid-Range Personnel Hour Cost	Minimum Hours	Internal Indirect Cost
Firefighter	2	\$14.92	1	\$29.84
Fire Apparatus Operator	1	\$16.40	1	\$16.40
Fire Captain	1	\$22.75	1	\$22.75
Total Hourly Cost				\$68.99

## LABOR ALLOCATION AND PERSONNEL

For every fee that is charged by AFR, the department undertakes a number of activities that are completed by various personnel. To quantify the costs of administering these fees, all steps needed to administer a fee were identified as well as the personnel necessary to complete the tasks.

**Labor Allocation** – The below Table contains the job title and the average number of hours required to administer each fee based on information provided by Division managers. The information described below is based on average activity levels per position reflected. In some cases fees are administered by more than one position.

<b>Calls for Services</b>	<b>Firefighter</b>	<b>Fire Apparatus Operator</b>	<b>Fire Lieutenant</b>	<b>Fire Captain</b>	<b>Average Hours</b>
Motor Vehicle Accidents	\$14.92	\$16.40	\$18.86	\$22.75	2
Hazardous Material Incidents	\$14.92	\$16.40	\$18.86	\$22.75	2
Non-Emergency EMS Calls	\$14.92	\$16.40	\$18.86	\$22.75	1

**Personnel Costs** - To quantify direct personnel expenses reflected in the department's cost of service, one must consider the salary costs per hour of productive work performed by each position that takes part to mitigate the incident. A detailed description of the methodology used to derive those per hour costs follows.

### **Sworn Personnel Cost – 3 Members**

<b>Position</b>	<b>Full Time Employees</b>	<b>Mid-Range Personnel Hour Cost</b>	<b>Minimum Hours</b>	<b>Internal Indirect Cost</b>
Firefighter	1	\$14.92	1	14.92
Fire Apparatus Operator	1	\$16.40	1	16.40
Fire Captain	1	\$22.75	1	22.75
City's Total Hourly Cost				\$54.07
Service Fee Cost				\$25.00

**Internal Indirect Cost****(4) Sworn****Personnel**

<b>Position</b>	<b>Full Time Employees</b>	<b>Mid-Range Personnel Hour Cost</b>	<b>Minimum Hours</b>	<b>Internal Indirect Cost</b>
Firefighter	2	\$14.92	1	\$29.84
Fire Apparatus Operator	1	\$16.40	1	\$16.40
Fire Captain	1	\$22.75	1	\$22.75
<b>City's Total Hourly Cost</b>				<b>\$68.99</b>
<b>Service Fee Cost</b>				<b>\$25.00</b>

Salaries listed in the above tables represent the actual 2007 salary of the job title or the minimum hourly salary if multiple positions may perform activity. To determine the salary cost for each job title, 50% of the mid-range hourly salary for three (3) personnel and 63% of the mid-range for a four (4) member crew. The duration of an incident is unpredictable and could vary from 5 minutes to five days. The information contained in table below was used to calculate the salary cost per fee indicates the average number of hours task per fee-related.

**Apparatus/Personnel Rates** - By adding the apparatus hourly rate and the salary costs per hour by the amount of time needed to perform each fee-related activity, the base salary costs per fee are determined. In addition to the base amount of salary cost, some fees require cost for specialized equipment.

<b>Apparatus/Personnel</b>	<b>Personnel</b>	<b>Personnel Hourly Rate</b>	<b>Apparatus Hourly Rate</b>	<b>Total Hourly Rate</b>
Class A Engine	3	\$25.00/hour	\$95.00	\$120.00
Class A - Engine	4	\$25.00/hour	\$95.00	\$120.00
Aerial Ladder Truck	3	\$25.00/hour	\$175.00	\$200.00
Aerial Ladder Truck	4	\$25.00/hour	\$175.00	\$200.00
Rescue (Heavy)	6	\$25.00/hour	\$70.00	\$95.00
Battalion Chief (Batt-1)	2	\$25.00/hour	\$8.00	\$33.00

In the above table, includes resources required to mitigate emergency incidents. The personnel hourly rate is derived from the mid-range hourly rate with respect to the mixture of personnel assigned to a fire unit. Also included is the number of personnel assigned to a respective fire unit. The minimum number of personnel assigned to a fire engine and truck is three (3) and



maximum of four sworn officers. The apparatus hourly rates are standard rates from the Federal Emergency Management Agency (FEMA).

## EQUIPMENT COST RECOVERY ANALYSIS

The rates on this Schedule of Equipment Rates are for applicant-owned equipment in good mechanical condition. Each rate covers all costs eligible under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. § 5121, et seq., for ownership and operation of equipment, including depreciation, overhead, all maintenance, field repairs, fuel, lubricants, tires, OSHA equipment and other costs incidental to operation. Standby equipment costs are not eligible.

Equipment must be in actual operation performing eligible work in order for reimbursement to be eligible. LABOR COSTS OF OPERATOR ARE NOT INCLUDED in the rates and should be approved separately from equipment costs. Information regarding the use of the Schedule is contained in 44 CFR § 206.228 *Allowable Costs*.

The below Tables outline the cost recovery schedule for all fees analyzed in this report and the current fee amount. When the current fee level is compared to the cost of service, the AFRD is charging from 60 - 75 percent below the actual cost of providing the services related to the activity shown. For example, these deficits cost the City from between \$425.00 (1-hour) to 10,200.00 per hour (24-hours) for a hazardous material incident. Currently, the City is not charging fees at all even though it is incurring a cost for providing the service.

Fire Equipment	Cost
Fire Rake	\$17.00
Shovels	\$17.00
Scoops	\$17.00
Brooms	\$12.00
All Hand Tools	\$12.00
Foam Nozzle	\$55.00
Foam Eductor	\$50.00
AFFF Foam – Per Gallon	\$40.00
Class A Foam – Per Gallon	\$25.00
SCBA Pack	\$85.00
Hall Runner	\$18.00
Portable Tank	\$75.00
PPV Fan – Per Hour	\$55.00
Generator, Portable – Per Hour	\$55.00
Generator – Per Hour	\$55.00
Chain Saw – Per Hour	\$45.00
Water Extinguisher	\$22.00
Dry Chemical Extinguisher	\$45.00
CO <sub>2</sub> Extinguisher	\$45.00
Scene Lights	\$22.00

<b>Supplies/Service</b>	<b>Cost</b>
Absorbent – Per Bag	\$17.00
Absorbent Booms	\$40.00
Top Sol	\$35.00
Disposable Coveralls	\$30.00
Neoprene Gloves	\$20.00
Latex Gloves	\$6.00
Over Boots	\$25.00
Disposable Goggles	\$15.00
Gas Plug Kit	\$50.00
Plug and Dike	\$65.00
Drum Liners	\$10.00
Barricade Tape	\$22.00
Removal of Hazardous Material	\$150.00
Disposal of Hazardous Material	\$150.00

**Federal Emergency Agency (FEMA)  
Schedule of Apparatus Rates**

<b>Cost Code</b>	<b>Equipment</b>	<b>Specs</b>	<b>Size</b>	<b>HP</b>	<b>Cost</b>
8690	Truck, Fire	Pump Capacity	1000 gpm	hour	\$75.00
8691	Truck, Fire	Pump Capacity	1250 gpm	hour	\$90.00
8692	Truck, Fire (Atlanta Fire)	Pump Capacity	1500 gpm	hour	\$95.00
8693	Truck, Fire	Pump Capacity	2000 gpm	hour	\$105.00
8694	Truck, Fire Ladder	Ladder Length	75 ft	hour	\$145.00
8695	Truck, Fire Ladder (Atlanta Fire)	Ladder Length	150 ft	hour	\$175.00
8792	Tractor Trailer	6 x 4	50,000	hour	70.00
8750	Small Vehicle (Chief Officer)			hour	8.00

## IMPOSED FEES

The imposed fees shall be assessed for fire department responses to mitigate a hazardous condition caused by a vehicle crash or fire. The responsible party of the vehicle crash or fire shall produce a valid auto insurance card and the department will bill the insurance company of the responsible party. Level 1 – 3 are flat rates determined by the services rendered.

**Level 0:        Not fee imposed**

**Level 1:        \$150.00 – Flat Rate**

*Services include:*     *Basie Response*  
                                 *Scene Investigation*  
                                 *Minor Debris Removal*  
                                 *Traffic Control*

**Level 2:        \$300.00 – Flat Rate**

*Services include:*     *\*Basic Response and Medical Treatment*  
                                 *\*Moderate Debris Removal*  
                                 *\*Traffic Control*  
                                 *\*Assist with Vehicle Removal*  
                                 *\*Extinguishment*  
                                 *\*Clean up Hazardous liquids*

**Level 3:        \$500.00 – Flat Rate**

*Services include:*     *\*Basic Response*  
                                 *\*Basic or Advance Medical Treatment*  
                                 *\*Heavy Debris Removal*  
                                 *\*Traffic Control*  
                                 *\*Clean up Hazardous liquids*  
                                 *\*Extinguishment*  
                                 *\*Minor Victim Extrication*

**Level 4:        Determined by fee schedule (Exhibit B)**

*Services include:*     *\*Multiple Unit Responses*  
                                 *\*Extrication of Multiple Victims*  
                                 *\*Usage of Multiple Hand Tools or power equipment*  
                                 *\*Complicated Incidents which require extensive*  
                                 *staff, time, and services*

*\*Traffic Control exceeding 2 hours*

### **Flat Rates:**

The aforementioned Flat Rates for hazardous conditions resulting from a motor vehicle crash (MVC) are determined by the required equipment to mitigate the incident which is determined by the nature of the incident. Personnel costs are not accessed to the imposed fee. Below are the city's costs and imposed fees for the required resources.

**LEVEL 0: Requires no intervention, resources, or services rendered from fire department.**

**LEVEL 1: Requires 1- fire engine, 3 – 4 sworn personnel, and debris removal equipment.**

<b>Required Apparatus</b>	<b>Personnel</b>	<b>Personnel Hourly Rate</b>	<b>Apparatus Hourly Rate</b>	<b>Equipment Cost</b>	<b>City's Total Cost</b>	<b>Imposed Fee</b>
Class A Engine	3	\$54.07/hour	\$95.00	\$65.00	\$214.07	\$150.00
Class A - Engine	4	\$68.99/hour	\$95.00	\$65.00	\$228.99	\$150.00

**LEVEL 2: Requires 1- fire engine, 3-4 sworn personnel, and debris removal equipment, medical supplies, breathing apparatus, and 500 gallons of water or other extinguishing agent.**

<b>Required Apparatus</b>	<b>Personnel</b>	<b>Personnel Hourly Rate</b>	<b>Apparatus Hourly Rate</b>	<b>Equipment Cost</b>	<b>City's Total Cost</b>	<b>Imposed Fee</b>
Class A Engine	3	\$54.07/hour	\$95.00	\$225.00	\$374.07/hr	\$300.00
Class A - Engine	4	\$68.99/hour	\$95.00	\$225.00	\$388.99/hr	\$300.00

**LEVEL 3: Requires 2- fire engines, 1-ladder truck, 9-12 sworn personnel, and debris removal equipment, medical supplies, breathing apparatus, water or other extinguishing agent, extrication equipment.**

<b>Required Apparatus</b>	<b>Personnel</b>	<b>Personnel Hourly Rate</b>	<b>Apparatus Hourly Rate</b>	<b>Equipment Cost</b>	<b>City's Total Cost</b>	<b>Imposed Fee</b>
2-Engines/1-Ladder	9	\$162.21/hour	\$365.00	\$345.00	\$872.21/hr	\$500.00
2-Engines/1-Ladder	12	\$206.97/hour	\$365.00	\$345.00	\$916.97/hr	\$500.00

**LEVEL 4: Requires 2- fire engines, 1-ladder truck, 1-speciality squad, and 1-command team, 15-21 sworn personnel, and debris removal equipment, medical supplies, breathing apparatus, water or other extinguishing agent, heavy extrication equipment.**

<b>Required Apparatus</b>	<b>Personnel</b>	<b>Personnel Hourly Rate</b>	<b>Apparatus Hourly Rate</b>	<b>Equipment Cost</b>	<b>City's Total Cost</b>	<b>Imposed Fee</b>
2-Engines/1-Ladder, 1-Command team, 1-Heavy Rescue Team	15	\$284.53/hour	\$468.00	Exhibit – B	\$872.21/hr	Fees determined per incident

2-Engines/1-Ladder, 1-Command team, 1-Heavy Rescue Team	21	\$300.93/hour	\$468.00	Exhibit - B	\$872.21/hr	Fees determined per incident
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## NON-EMERGENCY EMS CALLS

The fees for non-emergency assistance calls are determined by the mid-range hourly rate of personnel and does not include fees for equipment or apparatus.

Apparatus/Personnel	Personnel	Personnel Hourly Rate	Apparatus Hourly Rate	City's Total Cost
Class A Engine	3	\$54.07/hour	\$95.00	\$149.07/hr
Class A - Engine	4	\$68.99/hour	\$95.00	\$163.99/hr
Aerial Ladder Truck	3	\$54.07/hour	\$175.00	\$229.07/hr
Aerial Ladder Truck	4	\$68.99/hour	\$175.00	\$243.99/hr
Rescue (Heavy)	6	\$98.83/hour	\$70.00	\$168.83/hr
Battalion Chief (Batt-1)	2	\$41.40/hour	\$8.00	\$49.40/hr

Apparatus/Personnel	Personnel	Personnel Hourly Rate	Imposed Fee
Class A Engine	3	\$25.00/hour	\$75.00/hr
Class A - Engine	4	\$25.00/hour	\$100.00/hr
Aerial Ladder Truck	3	\$25.00/hour	\$75.00/hr
Aerial Ladder Truck	4	\$25.00/hour	\$100.00/hr
Rescue (Heavy)	6	\$25.00/hour	\$100.00/hr
Battalion Chief (Batt-1)	2	\$25.00/hour	\$50.00/hr

## HAZARDOUS MATERIAL EQUIPMENT

Supplies/Service	Cost
Absorbent – Per Bag	\$17.00
Absorbent Booms	\$40.00
Top Sol	\$35.00
Disposable Coveralls	\$30.00
Neoprene Gloves	\$20.00
Latex Gloves	\$6.00
Over Boots	\$25.00
Disposable Goggles	\$15.00
Gas Plug Kit	\$50.00
Plug and Dike	\$65.00
Drum Liners	\$10.00
Barricade Tape	\$22.00
Removal of Hazardous Material	\$150.00
Disposal of Hazardous Material	\$150.00

Fees for hazardous material incidents are determined by personnel, apparatus hourly, and equipment costs. The equipment and apparatus may vary based on the nature of the incident.

<b>Required Apparatus</b>	<b>Personnel</b>	<b>Personnel Hourly Rate</b>	<b>Apparatus Hourly Rate</b>	<b>Equipment Cost</b>	<b>City's Total Cost</b>	<b>Imposed Fee</b>
2-Engines/1-Ladder, 1- Command team, 1- Haz/Mat Team	15	\$284.53/hour	\$468.00	Exhibit – B	\$872.21/hr	Fees determined per incident
2-Engines/1-Ladder, 1- Command team, 1- Hat/Mat Team	21	\$300.93/hour	\$468.00	Exhibit - B	\$872.21/hr	Fees determined per incident



**09-O-0799**

**AN ORDINANCE BY  
PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

**AN ORDINANCE AUTHORIZING THE MAYOR OR HER DESIGNEE TO ASSESS A HAZARDOUS MATERIALS FEE FOR RESPONSES WHICH REQUIRE SERVICES AND RESOURCES FROM THE ATLANTA FIRE RESCUE DEPARTMENT AS A RESULT OF A NEGLIGENT ACT OF A COMMERCIAL CONTRACTORS OR PRIVATELY OWNED COMPANIES ON BEHALF OF THE ATLANTA FIRE RESCUE DEPARTMENT AND FOR OTHER PURPOSES.**

**WHEREAS**, the fire department responds to thousands of incidents resulting from negligent actions on behalf of commercial contractors and private companies which creates a hazardous environment to the city; and

**WHEREAS**, the fire department deploys approximately seventeen (17) trained personnel equipped with of specialized equipment and six (6) fire apparatus to mitigate hazardous conditions totaling created from negligent actions of commercial contractors and privately owned companies; and

**WHEREAS**, the fire department recommends the scope of hazardous material fees includes ruptured gas lines, containers, chemical releases and spills; and

**WHEREAS**, the fire department recommends not to assess a fee to residential properties within city limits; and

**WHEREAS**, the fees for fire apparatus and equipment are standard governmental charges established by the Federal Emergency Agency (FEMA) rates (Exhibit A); and

**WHEREAS**, the fees for hazardous material and fires do not cover the true costs to the City; and

**WHEREAS**, the department onscene time for a hazardous material incident varies from one (1) hour to one (1) day, costing the city from \$425.00 (1-hour) to \$10,200.00 (24-hours) in personnel cost; and

**WHEREAS**, the average personnel cost to the City for a hazardous material incident is approximately \$425.00 per hour; and

**WHEREAS**, the fire department recommends not to assess a fee to commercial contractors or privately owned companies when negligence is not involved; and

**WHEREAS**, the fire department recommends fees be assessed according to the fire schedule (exhibit A) for services and resources required to mitigate hazardous conditions; and



**WHEREAS**, the City desires to implement a fair and equitable procedure by which to collect said fees as a result of elevator mechanical malfunctions and shall establish a billing system in accordance with applicable laws, ordinances, and guidelines; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:**

**SECTION 1.** The Mayor is hereby authorized to assess a user fee to commercial contractors or privately owned companies responsible for the deployment of fire rescue resources caused by a negligent act which creates a hazardous condition to the community.

**SECTION 2.** That Chapter 70, Article II, sections 70-36, be amended which include to code sections as follows:

**Sec. 70-37 - Definitions.**

The following words, terms and phrases when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Deployment* – a response of fire department resources to an incident for the purpose of mitigating the situation.

*Hazardous Condition* - a situation involving a spill, leakage, or debris which presents a danger to the community or environment.

*Personnel Cost* – Average cost of \$25.00 per hour for each personnel.

**Sec. 70-38 – Imposed Fees.**

The imposed fees shall be assessed for fire department responses to mitigate a hazardous condition caused by a vehicle crash or fire. The responsible party causing the hazardous condition insurance company shall be billed.

**EXHIBIT – A**

<b>Apparatus/Personnel</b>	<b>Personne l</b>	<b>Personnel Hourly Rate</b>	<b>Apparatus Hourly Rate</b>
Class A Engine	3	\$25.00/hour	\$95.00
Class A - Engine	4	\$25.00/hour	\$95.00
Aerial Ladder Truck	3	\$25.00/hour	\$175.00
Aerial Ladder Truck	4	\$25.00/hour	\$175.00
Rescue (Heavy)	6	\$25.00/hour	\$70.00
Battalion Chief (Batt-1)	2	\$25.00/hour	\$8.00

<b>Fire Equipment</b>	<b>Fee</b>
Fire Rake	\$17.00
Shovels	\$17.00
Scoops	\$17.00
Brooms	\$12.00
All Hand Tools	\$12.00
Foam Nozzle	\$55.00
Foam Eductor	\$50.00
AFFF Foam – Per Gallon	\$40.00
Class A Foam – Per Gallon	\$25.00
SCBA Pack	\$85.00
Hall Runner	\$18.00
Portable Tank	\$75.00
PPV Fan – Per Hour	\$55.00
Generator, Portable – Per Hour	\$55.00
Generator – Per Hour	\$55.00
Chain Saw – Per Hour	\$45.00
Water Extinguisher	\$22.00
Dry Chemical Extinguisher	\$45.00
CO <sub>2</sub> Extinguisher	\$45.00
Scene Lights	\$22.00

<b>Supplies/Service</b>	<b>Price</b>
Absorbent – Per Bag	\$17.00
Absorbent Booms	\$40.00
Top Sol	\$35.00
Disposable Coveralls	\$30.00
Neoprene Gloves	\$20.00
Latex Gloves	\$6.00
Over Boots	\$25.00
Disposable Goggles	\$15.00
Gas Plug Kit	\$50.00
Plug and Dike	\$65.00
Drum Liners	\$10.00
Barricade Tape	\$22.00
Removal of Hazardous Material	\$150.00
Disposal of Hazardous Material	\$150.00

### HAZARDOUS MATERIAL EQUIPMENT

Supplies/Service	Price
Absorbent – Per Bag	\$17.00
Absorbent Booms	\$40.00
Top Sol	\$35.00
Disposable Coveralls	\$30.00
Neoprene Gloves	\$20.00
Latex Gloves	\$6.00
Over Boots	\$25.00
Disposable Goggles	\$15.00
Gas Plug Kit	\$50.00
Plug and Dike	\$65.00
Drum Liners	\$10.00
Barricade Tape	\$22.00
Removal of Hazardous Material	\$150.00
Disposal of Hazardous Material	\$150.00

### EXHIBIT – B

### Federal Emergency Agency (FEMA) Schedule of Apparatus Rates

Cost Code	Equipment	Specs	Size	HP	Notes
8692	Truck, Fire (Atlanta Fire)	Pump Capacity	1500 gpm	hour	\$95.00
8693	Truck, Fire	Pump Capacity	2000 gpm	hour	\$105.00
8694	Truck, Fire Ladder	Ladder Length	75 ft	hour	\$145.00
8695	Truck, Fire Ladder (Atlanta Fire)	Ladder Length	150 ft	hour	\$175.00
8792	Tractor Trailer	6 x 4	50,000	hour	70.00
8750	Small Vehicle (Chief Officer)			hour	8.00

**SECTION 3.** All ordinances or parts of ordinances and resolutions, in conflict with this ordinance are hereby repealed, and are no longer of any force and effect.

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Commissioner Signature 

Originating Department: Fire and Rescue Contact (name) Wilmond Meadows

Committee(s) of Purview: Public Safety and Legal Administration Committee

Committee Deadline: \_\_\_\_\_

Committee Meeting Date(s): 4/28/09 Full Council Date: 5/4/09

**CAPTION**



AN ORDINANCE AUTHORIZING THE MAYOR OR HER DESIGNEE TO ASSESS A HAZARDOUS MATERIALS FEE FOR RESPONSES WHICH REQUIRE SERVICES AND RESOURCES FROM THE ATLANTA FIRE RESCUE DEPARTMENT AS A RESULT OF A NEGLIGENT ACT OF A COMMERCIAL CONTRACTORS OR PRIVATELY OWNED COMPANIES ON BEHALF OF THE ATLANTA FIRE RESCUE DEPARTMENT AND FOR OTHER PURPOSES.

**BACKGROUND/PURPOSE/DISCUSSION:**

The fire department responds to hundreds of hazardous material incidents involving spills, leaks, and releases which creates a hazardous condition to the environment. A high volume of the hazardous conditions are results of negligent actions by commercial contractors or privately owned companies.

FINANCIAL IMPACT (if any): None

Mayor's Staff Only

Received by Mayor's Office: 4/17/09  (date) Reviewed by:  (date)

Submitted to Council: \_\_\_\_\_ (date)

## ***Legislative White Paper***

**Committee of Purview: THE PUBLIC SAFETY & LEGAL ADMINISTRATION**

**Caption:**

**AN ORDINANCE AUTHORIZING THE MAYOR OR HER DESIGNEE TO ASSESS A HAZARDOUS MATERIALS FEE FOR RESPONSES WHICH REQUIRE SERVICES AND RESOURCES FROM THE ATLANTA FIRE RESCUE DEPARTMENT AS A RESULT OF A NEGLIGENT ACT OF A COMMERCIAL CONTRACTORS OR PRIVATELY OWNED COMPANIES ON BEHALF OF THE ATLANTA FIRE RESCUE DEPARTMENT AND FOR OTHER PURPOSES.**

**Council Meeting Date:** May 4, 2009

**Legislation Title:** User Fees for Fire Resources by Privately Owned EMS Companies

**Requesting Dept.:** Atlanta Fire Rescue

**Contract Type:** NA

**Source Selection:** NA

**Bids/Proposals Due:** NA

**Invitations Issued:** NA

**Number of Bids/  
Proposals Received:** NA

**Bidders/Proponents:** NA

**Background:** The fire department responds to hundreds of hazardous material incidents involving spills, leaks, and releases which creates a hazardous condition to the environment. A high volume of the hazardous conditions are results of negligent actions by commercial contractors or privately owned companies.

**Fund Account Center:**

**Source of Funds:** NA

**Fiscal Impact:** NA

**Term of Contact:** NA

**Prepared By:** Wilmond Meadows, (404) 449-2682